

**BEFORE THE
LABOR AND INDUSTRIAL RELATIONS COMMISSION
JEFFERSON CITY, MISSOURI**

Objection to Annual Wage Order No. 16

By Asbestos Workers Local 27

OBJECTOR

FILED

MAR 25 2009

LABOR AND INDUSTRIAL
RELATIONS COMMISSION

COMES NOW Asbestos Workers Local 27, and files its objection to Wage Order No. 16 as it relates to the determination of the prevailing wages for the classification of Asbestos Worker in **Bates County, Missouri**. In support of its objection, the Union states as follows:

1. Asbestos Workers Local 27 ("Objector") with its principal office in Independence, Missouri, represents members who perform work with signatory contractors to a collective bargaining agreement throughout the State of Missouri, including **Bates County, Missouri**. The members perform work as defined by the occupational title "Asbestos Worker" and set out in 8 C.S.R. 30-3.060. As a representative of its membership, it is an affected party of the determination of the prevailing wage rates for asbestos workers.

2. Wage Order No. 16 sets the prevailing basic hourly wage rate in **Bates County, Missouri** at twenty-three dollars and forty-one cents (\$23.41) per hour. In

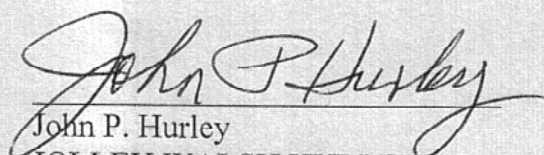
addition, the total fringe benefit package is set at nine dollars and fifty cents (\$9.50) per hour.

3. Objector asserts that the correct prevailing basic hourly wage rate in **Bates County, Missouri** is thirty-two dollars and four cents (\$32.04) per hour. In addition, Objector asserts that the correct fringe benefit total package should be twenty dollars and forty-eight cents (\$20.48) per hour.

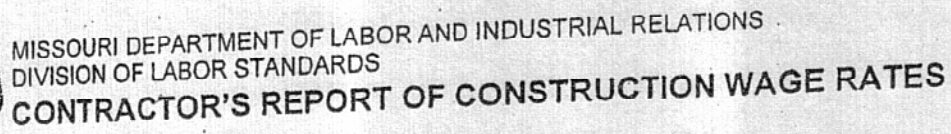
4. Objector's assertions are based upon wage and fringe benefit rates established by collective bargaining agreements ("CBA") in effect during the relevant period.

5. Under the wage rates established by the CBA, members of the objecting Union performed a substantial number of hours of work as glaziers during the relevant period at the above-quoted basic wage rate and the fringe benefit total package rate which will be substantiated through the submission of Contractor's Reports of Construction Wage Rates and "New Wage Rates" supplemental sheet attached hereto as Exhibit A. For the foregoing reasons, Objector requests that the prevailing basic hourly wage rate for asbestos workers in **Bates County, Missouri** be adjusted to thirty-two dollars and four cents (\$32.04) per hour and the fringe benefit total package rate be adjusted to twenty dollars and forty-eight cents (\$20.48) per hour.

Respectfully submitted,


John P. Hurley
JOLLEY WALSH HURLEY
RAISHER & AUBRY, P.C.

204 West Linwood Blvd.
Kansas City, MO 64111
(816) 561-3755
(816) 561-9355 Facsimile
ATTORNEYS FOR OBJECTOR
and its MEMBERS

[illegible]

Certification

To the best of my knowledge, information and belief, I hereby certify that the number of hours, basic hourly rate, and fringe benefit payments listed above are true and correct and that the type of work performed by the number of employees identified above, relative to the Occupational Title(s) reported, is consistent with 8 CSR 30-3.060. I further recognize that any false statement or declaration made herein is punishable under Section 575.060, RSMo 1994, as a class B misdemeanor.

(Please check appropriate box)

☐ Signature of Contractor's Representative who Prepared this Report

☒ Signature of Preparer of this report

LS-04 (01-04) A

Exhibit A

MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
DIVISION OF LABOR STANDARDS

DIVISION OF LABOR STANDARDS CONTRACTOR'S REPORT OF CONSTRUCTION WAGE RATES

<p>Contractor's Name, Address and Telephone Number</p> <p>All Seasons Insulation</p> <p>1401 Fairfax Trafficway #D, Unit 204</p> <p>Kansas City, KS 66115</p> <p>913-371-8811</p>	<p>Cost and Location of Project</p> <p>Water Treatment plant</p> <p>Adrian, MO</p> <p>County <u>BATES</u></p> <p>Description <u>Plumbing Insulation</u></p> <p>Type of Construction</p> <p><input checked="" type="checkbox"/> Building <input type="checkbox"/> Heavy <input type="checkbox"/> Highway</p> <p>Name and Title of Contractor's Representative or Preparer</p> <p>(Please print or type)</p> <p><u>ROY HULSEY - OWNER</u></p>
<p>Dates of work reported below</p> <p>Beginning <u>9/17/08</u> Ending <u>9/18/08</u></p> <p>Date construction began _____ Percent completed to date <u>100%</u></p>	

[illegible]

Certification

To the best of my knowledge, information and belief, I hereby certify that the number of hours, basic hourly rate, and fringe benefit payments listed above are true and correct and that the type of work performed by the number of employees identified above, relative to the Occupational Title(s) reported, is consistent with 8 CSR 30-3.060. I further recognize that any false statement or declaration made herein is punishable under Section 575.060, RSMo 1994, as a class B misdemeanor.

Date: OCTOBER 30, 2008

(Please check appropriate box)

- (Please check appropriate box)
- ☐ Signature of Contractor's Representative who Prepared this Report
- ☒ Signature of Preparer of this report

Mail to: Missouri Department of Labor and Industrial Relations
DIVISION OF LABOR STANDARDS
P.O. Box 449
Jefferson City, MO 65102-0449

Phone: 573-751-3403
Fax: 573-751-3721
E-mail: laborstandards@dolir.mo.gov
www.dolir.mo.gov/lr

LS-04 (01-04) AI

ASBESTOS WORKERS LOCAL 27
400 S. MAIN STREET
INDEPENDENCE, MISSOURI 64050

KANSAS CITY WAGE AGREEMENT

New Wage Rates
Effective October 1, 2008

Industrial/Commercial Applicators:

Base Wage Rate	\$29.62
Supplemental Dues	\$2.42
Taxable Wage Rate	\$32.04

Apprentices:

<u>Level</u>	<u>Base Wage Rate</u>	<u>Supplemental Dues</u>	<u>Taxable Wage Rate</u>
4 th year Apprentice	\$26.66	\$2.42	\$29.08
3 rd year Apprentice	\$23.70	\$2.42	\$26.12
2 nd year Apprentice	\$20.73	\$2.42	\$23.15
1 st year Apprentice	\$17.77	\$2.42	\$20.19

Union Dues	3% of base wage rate
Vacation	10% of base wage rate
Supplemental Pension	\$3.00/per hour worked*
Pension	\$10.19/per hour worked
Welfare	\$7.29/per hour worked
Industry Fund	\$.07/per hour worked

*Supplemental pension for Apprentices will be \$1.25 per hour.

Foreman Clause

When three (3) men are employed on a job one (1) of them is to be designated by the Employer as the Working Foreman and shall be paid \$1.50 per hour differential above the Industrial/Commercial Applicator rate of pay. When six (6) men are employed on a job, the Foreman shall receive \$1.75 per hour differential above the Industrial/Commercial Applicator rate of pay. When fifteen (15) men are employed, one shall be designated as the General Foreman and shall be paid \$3.00 differential above the Industrial/Commercial Applicator rate of pay.